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OFFICE OF PETITIONS

In re Application of	:	
Thomas Anthony Stahl, et. al.	:	
Application No. 09/555,188	:	ON PETITION
Filed: September 13, 2000	:	
Attorney Docket No. RCA 88863	:	

This is a decision on the petition under 37 CFR 1.137(b), filed on March 22, 2007, to revive the above-identified application.

The application became abandoned for failure to properly respond to the Notice of Allowance and Fee(s) Due mailed August 25, 2006. A Notice of Abandonment was mailed on December 22, 2006.

It is not apparent whether the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application. However, in accordance with 37 CFR 1.34(a), the signature of Catherine A. Ferguson appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he/she is authorized to represent the particular party in whose behalf he/she acts.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement.

As authorized, \$1,400 for payment of the issue fee has been charged to petitioner's deposit account.

The petition satisfies the requirements of 37.CFR 1.137(b), in that, petitioner has supplied (1) the reply in the form of \$1,400 for payment of the issue fee; (2) the petition fee of \$1,500; and (3) an adequate statement of unintentional delay. Therefore, the petition is **GRANTED**.

This application file is being referred to the Office of Data Management for further processing into a patent.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

A handwritten signature in black ink, appearing to read 'Andrea Smith', is positioned above the printed name.

Andrea Smith
Petitions Examiner
Office of Petitions